

Serial No. 10/656,871

Attorney Docket No. 26C-024

REMARKS

Claims 1 and 4-7 are pending. Claims 2, 3 and 8 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1 and 4-6 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons.

The terms "front-rear" and up-down" were said to be indefinite. Although there is nothing indefinite about these terms, and the office action fails to identify any indefiniteness in these terms, the claims have been amended to replace them with "longitudinal" and "vertical" respectively. In addition, the specification has been amended to indicate that "front-rear" and "longitudinal" mean the same thing. Therefore, this rejection should be withdrawn.

Claims 6 and 7 were rejected under 35 USC 102(a) as being anticipated by Enders. The applicants respectfully request that this rejection be withdrawn for the following reasons.

Claim 6 has been amended to recite a gas feed passage for delivering inflation gas to the window-ward shielding portion and the roof-ward shielding portion. Claim 6 further recites that the gas feed passage extends in a longitudinal direction of the vehicle between the window-ward shielding portion and the roof-ward shielding portion. These features are not disclosed or suggested by the patent to Enders. Therefore, this rejection should be withdrawn.

The features added to claim 6 are disclosed in Figs. 10 and 11 and at page 29, lines 14-25 of the specification. Thus, no new matter is involved.

The office action asserts that Enders discloses the airbag for the head-protecting airbag device. However, Enders fails to disclose the airbag of claim 6. The airbag (10) in Enders

Serial No. 10/656,871

Attorney Docket No. 26C-024

includes a window-ward shielding portion (40, 42, 44). However, the airbag (10) in Enders does not include both a gas feed passage and a roof-ward shielding portion, as claimed in claim 6.

The office action indicates that the channel having numeral (94) in Enders is a roof-ward shielding portion. However, the channel (94) is for feeding the window-ward shielding portion (40, 42, 44) with inflation gas. In other words, the channel (94) is not a roof-ward shielding portion but a gas feed passage in the airbag of claim 6.


In the airbag of claim 6, the roof-ward shielding portion is arranged on the upper side of the gas feed passage. Also, in the airbag of claim 6, the roof-ward shielding portion can cover the vehicle inner side of the roof side rail (RR) widely. In Enders, the inflated airbag (10) cannot cover the vehicle inner side of the roof side rail widely, because the airbag (10) does not have the roof-ward shielding portion. Therefore, claim 6 cannot be anticipated by Enders.

Claims 1, 4, and 5 were said to be allowable if amended to overcome the section 112 rejection. The claims have been amended to overcome the section 112 rejection; therefore, claims 1, 4, and 5 are considered to be in condition for allowance.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,


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